

# MAINE STATE LEGISLATURE

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Date: 3/2/16

L.D. 1567  
(Filing No. H-541)

TRANSPORTATION

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1063, L.D. 1567, Bill, "An Act To Amend the Laws Regarding the Operation of an All-terrain Vehicle or Snowmobile on a Controlled Access Highway"

Amend the bill in the emergency preamble in the 2nd paragraph in the 2nd line (page 1, line 4 in L.D.) by striking out the following: "rights-of-way" and inserting the following: 'right-of-way limits'

Amend the bill by striking out all of sections 1 and 2 and inserting the following:

'Sec. 1. 12 MRSA §13106-A, sub-§3, ¶A, as enacted by PL 2003, c. 655, Pt. B, §394 and affected by §422, is amended to read:

A. A person may operate a snowmobile upon a controlled access highway or within the right-of-way limits of a controlled access highway in accordance with this paragraph.

(1) A person on a properly registered snowmobile may cross controlled access highways by use of bridges over or roads under those highways, or by use of roads crossing controlled access highways at grade.

(2) The Commissioner of Transportation may issue special permits for designated crossings of controlled access highways.

(3) A person on a properly registered snowmobile may operate the snowmobile within the right-of-way limits of a controlled access highway on a trail segment approved by the Commissioner of Transportation or the board of directors of the Maine Turnpike Authority, as applicable.

At the request of the Commissioner of Agriculture, Conservation and Forestry, the Commissioner of Transportation or the board of directors of the Maine Turnpike Authority, as applicable, may permit construction of a snowmobile trail within the right-of-way limits of a controlled access highway under the jurisdiction of the Department of Transportation or the Maine Turnpike Authority being constructed on or after January 1, 2016 when there is an ability to provide for the continuity of a

COMMITTEE AMENDMENT

ROFS

1 state-owned or state-controlled network of snowmobile trails. Funds for the  
2 construction of a snowmobile trail under this paragraph may not be provided from the  
3 Highway Fund.

4 **Sec. 2. 12 MRSA §13157-A, sub-§3, ¶A**, as enacted by PL 2003, c. 655, Pt. B,  
5 §414 and affected by §422, is amended to read:

6 A. A person may not operate an ATV upon a controlled access highway or within the  
7 right-of-way limits of a controlled access highway, except that:

8 (1) A person on a properly registered ATV may cross controlled access  
9 highways by use of bridges over or roads under those highways or by use of  
10 roads crossing controlled access highways at grade; and

11 (2) The Commissioner of Transportation may issue special permits for  
12 designated crossings of controlled access highways; and

13 (3) A person on a properly registered ATV may operate the ATV within the  
14 right-of-way limits of a controlled access highway on a trail segment approved by  
15 the Commissioner of Transportation or the board of directors of the Maine  
16 Turnpike Authority, as applicable.

17 At the request of the Commissioner of Agriculture, Conservation and Forestry, the  
18 Commissioner of Transportation or the board of directors of the Maine Turnpike  
19 Authority, as applicable, may permit construction of an ATV trail within the  
20 right-of-way limits of a controlled access highway under the jurisdiction of the  
21 Department of Transportation or the Maine Turnpike Authority being constructed on  
22 or after January 1, 2016 when there is an ability to provide for the continuity of a  
23 state-owned or state-controlled network of ATV trails. Funds for the construction of  
24 an ATV trail under this paragraph may not be provided from the Highway Fund.'

25 **SUMMARY**

26 This amendment clarifies that the Department of Transportation or the board of  
27 directors of the Maine Turnpike Authority, whichever has jurisdiction, may approve trail  
28 segments and permit the construction of all-terrain vehicle and snowmobile trails within  
29 the right-of-way limits of controlled access highways being constructed on or after  
30 January 1, 2016.

31 The amendment prohibits funding the construction of those all-terrain vehicle and  
32 snowmobile trails from the Highway Fund.

**FISCAL NOTE REQUIRED**  
**(See attached)**

**COMMITTEE AMENDMENT**



# 127th MAINE LEGISLATURE

LD 1567

LR 2596(02)

**An Act To Amend the Laws Regarding the Operation of an All-terrain Vehicle or Snowmobile on a  
Controlled Access Highway**

**Fiscal Note for Bill as Amended by Committee Amendment**

*A" (H-541)*

**Committee: Transportation**

**Fiscal Note Required: Yes**

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## Fiscal Note

Contingent future biennium cost increase - Other Special Revenue Funds

Minor cost increase - Highway Fund

Minor cost increase - Maine Turnpike Authority

### Fiscal Detail and Notes

The bill allows the Department of Agriculture, Conservation and Forestry (ACF) to construct snowmobile trails and/or ATV trails within the right-of-way limits of a controlled access highway if the Department of Transportation or the board of directors of the Maine Turnpike Authority allow it. ACF has indicated that it would incur costs totaling \$70,000 to \$225,000 over approximately 4 years to develop these trails if given permission to build. Construction, if permission were granted, is estimated to start in fiscal year 2018-19. All costs to ACF will be funded by the Snowmobile Trail Fund for snowmobile trails and the ATV Recreational Management Fund for ATV trails. These accounts are both within ACF and have sufficient resources to absorb these costs.

Additional costs to the Department of Transportation and Maine Turnpike Authority associated with reviewing these requests can be absorbed within existing budgeted resources.