

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 631

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H.P. 447

House of Representatives, February 16, 2017

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**An Act To Require an Operator of an All-terrain Vehicle Driven on  
Certain Roads To Have a Driver's License and Liability Insurance**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative STEARNS of Guilford.  
Cosponsored by Representative: LYFORD of Eddington.

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

2 **Sec. 1. 12 MRSA §13157-A, sub-§6, ¶H,** as amended by PL 2007, c. 33, §1, is  
3 further amended to read:

4 H. Notwithstanding paragraphs A to G, an ATV may be operated on the extreme  
5 right of a public way or as directed by the appropriate governmental unit within the  
6 public way of a municipality or an unorganized or unincorporated township if the  
7 appropriate governmental unit has designated the public way as an ATV-access route.  
8 An ATV must travel in the same direction as motor vehicle traffic on a public way  
9 designated as an ATV-access route. A public way designated by an appropriate  
10 governmental unit as an ATV-access route must be posted conspicuously at regular  
11 intervals by that governmental unit with highly visible signs designating the ATV-  
12 access route. Before designating a public way as an ATV-access route, the  
13 appropriate governmental unit shall make appropriate determinations that ATV travel  
14 on the extreme right of the public way or as directed by the appropriate governmental  
15 unit within the public way may be conducted safely and will not interfere with  
16 vehicular traffic on the public way. For purposes of this paragraph, "appropriate  
17 governmental unit" means the Department of Transportation, county commissioners  
18 or municipal officers within their respective jurisdictions. The jurisdiction of each  
19 appropriate governmental unit over public ways pursuant to this paragraph is the  
20 same as its jurisdiction over the passage of vehicles on public ways pursuant to Title  
21 29-A, section 2395. Municipal or county law enforcement officials having  
22 jurisdiction have primary enforcement authority over any route established under this  
23 paragraph. A person may not operate an ATV for more than 500 yards on a public  
24 way designated as an ATV-access route unless the person possesses a valid driver's  
25 license under Title 29-A, chapter 11 and the person maintains liability insurance for  
26 the ATV comparable to the required liability insurance under Title 29-A, chapter 13,  
27 subchapter 2 for a motor vehicle.

28 **SUMMARY**

29 This bill requires an operator of an all-terrain vehicle who travels more than 500  
30 yards on a public way designated as an ATV-access route to possess a valid driver's  
31 license and motor vehicle liability insurance for the ATV.