

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2001

Sec. 4. 29-A MRSA §501, sub-§2-A, as amended by PL 1999, c. 790, §4 and affected by §19, is further amended to read:

2-A. Island vehicles, golf carts and low-speed vehicles. The following provisions apply to vehicles operating on islands that have no public ways maintained or supported by the State.

A. Notwithstanding subsection 1, an automobile may be registered for an annual fee of \$4. A low-speed vehicle or golf cart may be registered for an annual fee of \$4. The registrant must show evidence of payment of the excise tax required by Title 36, section 1482. The municipality may collect an additional \$4 fee annually to defray the cost of removing abandoned vehicles or golf carts.

B. A low-speed vehicle or golf cart may be operated on an island if the governing body of the municipality allows. A low-speed vehicle or golf cart may be operated only on a road or street where the posted speed limit is 35 miles per hour or less. A low-speed vehicle or golf cart may cross, at an intersection, a road or street with a posted speed limit of more than 35 miles per hour.

C. Any person operating a low-speed vehicle or a golf cart on an island must possess a valid driving license in any class.

Sec. 5. 29-A MRSA §1252, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. Mopeds and motorized scooters. A moped or motorized scooter may not be operated:

A. By a person who does not possess a valid license of any class or a license specially endorsed to operate a motorcycle, a motor-driven cycle or a moped; or

B. On an interstate highway or on a way on which a bicycle is prohibited.

Sec. 6. 29-A MRSA §2063, as amended by PL 1995, c. 371, §1, is further amended to read:

§2063. Bicycles, motorized scooters and toy vehicles

1. Definitions. For the purpose of this section, "bicycle" includes a motorized bicycle or a motorized tricycle, and "toy vehicle" includes, but is not limited to, motorized scooters, skateboards, rollerskates, wagons, sleds and coasters.

2. Riding to the right. A person operating a bicycle or motorized scooter shall ride it as far as

practicable to the right side of the way, except when making a left turn. This subsection does not apply in a municipality that, by ordinance and with the approval of the Department of Public Safety and the Department of Transportation, makes other provisions for the location of bicycle traffic and motorized scooter traffic.

3. Seating. A person operating a bicycle may not ride other than astride a regular and permanently attached seat. A bicycle may not be used to carry more persons than the number for which it is designed and equipped.

4. Hitching rides. A person riding on a bicycle, motorized scooter or toy vehicle may not attach it to a moving vehicle on a way.

5. Rights and duties. A person riding a bicycle on a way has the rights and is subject to the duties applicable to the operator of a vehicle, except as to:

A. Special regulations; and

B. Provisions in this Title that by their nature can have no application.

6. Speed. A motorized bicycle or a motorized scooter may not be operated in excess of 20 miles per hour.

7. Penalties. A person 17 years of age or over who violates this section commits a traffic infraction ~~with a maximum fine of~~ for which a forfeiture of no more than \$10 may be adjudged.

8. Impoundment. The chief of police of a municipality, or if there is no chief of police, the chair of the local legislative body, when satisfied that a juvenile under the age of 17 years has ridden a bicycle or motorized scooter in violation of this section, may impound the bicycle or motorized scooter for a period not to exceed 5 days for the first offense, 10 days for a 2nd offense and 30 days for a subsequent offense.

See title page for effective date.

CHAPTER 198

H.P. 516 - L.D. 655

An Act to Clarify the Rights of Residents Within Wildlife Sanctuaries

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

Sec. 1. 12 MRSA §7654, sub-§3, as amended by PL 1981, c. 644, §30, is repealed.

Sec. 2. 12 MRSA §7654, sub-§8, ¶¶B and C, as enacted by PL 1979, c. 420, §1, are amended to read:

B. Notwithstanding subsections 1, ~~and 2 and 3:~~

(1) If the commissioner determines that the public health and safety ~~is~~ are threatened by diseased animals within Rangeley Plantation Sanctuary, ~~he~~ the commissioner may authorize the use of firearms or any other device ~~he deems~~ the commissioner determines appropriate to eliminate diseased animals;

(2) The Augusta Water District may use Carleton Pond in the Readfield and Winthrop Sanctuary as it ~~deems~~ determines necessary; and

(3) ~~Those subsections~~ Subsections 1 and 2 apply only to ~~such~~ lands within the Readfield and Winthrop Sanctuary as that are or may be hereafter fenced.

C. Notwithstanding ~~subsections~~ subsection 1 and 3:

~~(1) The Camden Rifle Club may establish and maintain a rifle range for target practice within the limits of Megunticook Lake and Vicinity Sanctuary, this target practice to be held under the regulations of the United States War Department as established by the national board for the promotion of rifle practice in the United States; and~~

(2) The use of firearms on Megunticook Lake and Vicinity Sanctuary is prohibited only from the first day of April of each year to the 30th day of September following.

See title page for effective date.

CHAPTER 199

S.P. 168 - L.D. 587

An Act to Clarify Laws Pertaining to Nuisance Wildlife

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

Sec. 1. 12 MRSA §7501, as amended by PL 1981, c. 563, §1, is further amended to read:

§7501. Attacking domestic animals or destroying property

Except as provided in sections 7502 and 7504, any person may lawfully kill, or cause to be killed, any wild animal, night or day, found in the act of attacking, worrying or wounding that person's domestic animals or domestic birds or destroying that person's property. Any person who kills a wild animal by authority of this section shall report the incident to a ~~game warden~~ the Maine Warden Service as provided in section 7502, subsections 3 and 4.

Sec. 2. 12 MRSA §7502, as amended by PL 1981, c. 563, §2, is further amended to read:

§7502. Damage to crops or orchards

1. Permission to kill nuisance animals. Except as provided in section 7504, the cultivator, owner, mortgagee or keeper of any orchard or growing crop, except ~~grass~~ all types of grasses, clover and grain fields, ~~or the owner or occupier of land on which such an orchard or crop are located,~~ may take or kill ~~deer or other~~ wild animals night or day; ~~when they~~ the wild animals are ~~doing substantial damage to~~ located within the orchard or crop where substantial damage to the orchard or crop is occurring. For purposes of this section, corn ~~shall~~ is not be considered grain.

2. Employment of agents. ~~That person may authorize a member of his immediate family or someone employed by him to take or kill those deer or other wild animals. When he employs someone not domiciled on the land where the damage is being done to take or kill the deer or other wild animals, he shall apply to the a game warden in charge of the district in which the orchard or crop are located for permission to employ such a person and shall obtain permission from the warden in writing. When a person wants to employ someone outside of that person's immediate family to take or kill wild animals, that person shall contact a game warden. If the warden is satisfied that substantial damage is occurring, the warden may arrange for a department agent to alleviate the damage, when an agent is not available, may authorize a person who is knowledgeable and can perform the work in a reasonable, safe and proficient manner. Permission to take or kill wild animals may not be granted to any person whose license to hunt has been revoked or suspended, who is an habitual violator as defined in section 7001, subsection 13-A or who has been convicted of night hunting within the past 5 years.~~

3. Report to Maine Warden Service; dressing of carcass. The person by whom or under whose direction the ~~deer or other~~ wild animal is wounded, taken or killed under this section shall: