

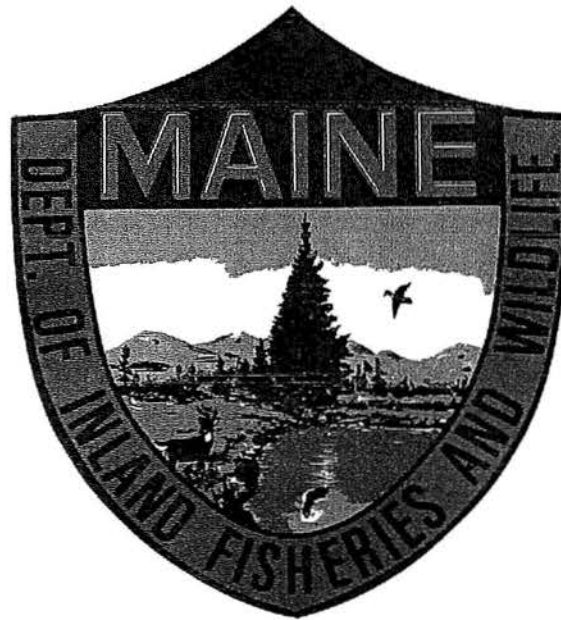
MAINE STATE LEGISLATURE

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)

**Maine Department of
Inland Fisheries & Wildlife**



Report back to Legislature

Public Law Chapter 322

126th Legislature – Second Session

An Act To Simplify and Encourage the Sale of Hunting and Fishing Licenses and Permits (LD 229)

Presented By: Bill Swan - Director of the Licensing Division

Date: February 4, 2014

Eligibility requirements & issuance of complimentary licenses

MOSES Internet Sales Application Upgrade Plan

Online Guide and Trapping License Renewal Project

Complimentary License Comparison

License Type	Special Requirement	Age Requirement	Residency Requirement
Native American	Tribal Member	10 years or older	Any State
Disabled Veteran	50% service connected disability	18 years or older	Maine, NH, Vermont
Paraplegic	Lost, or permanent lost the use of, both legs	10 years or older	Maine, NH, Ver, Conn, Mass
Developmentally Disabled (fish only)	Note from physician: cannot fish independently	12 years or older	Any State
Blind (fish only)	Certified 20/200: angle no greater than 20 degrees	16 years or older	Maine
Acquired Brain Injury (fish only)	Certified brain injury per Title 22, section 3086	12 years or older	Any State
DHHS Custody (fish only)	Certified in custody of DHHS	16 or 17 years old	Maine

Complimentary License Comparison Notes

- 1). The eligibility requirements for the various complimentary licenses do vary widely by the very nature of the licenses.
- 2). The only real opportunity we can see to eliminate some of the variation in these eligibility requirements would be to make residents of all states eligible for all these licenses. We do not recommend this.
- 3). From the Department perspective, issuing these complimentary licenses is not overly complicated and does not consume a large amount of Department resources.

MOSES Internet Sales Application Upgrade Plan

Background Info and Survey Results

Customers purchasing their hunting and fishing licenses from home utilize the MOSES Internet Sales Application (ISA). Since it was brought online in 2003, nearly 1.2 million hunting and fishing licenses have been purchased by customers from their home or office. The system is available 24 hours a day, 7 days a week. Customers are able to immediately purchase, print out, and use their license utilizing this system. The use of the system has been growing steadily each year and in 2013, we sold over 177,000 hunting and fishing licenses online which represents 37% of the licenses sold. A major rewrite of the system was done in 2008.

As requested by the legislature, we sent out a survey to our online customers asking for their feedback on updating the MOSES ISA system. Overall, we had approximately 10,000 people respond to our survey. 86% of those responding said that they purchase their licenses online. We asked the 14% who said that they don't purchase their licenses online why they don't. The majority answered that it was because they prefer to deal face-to-face with a person or that they prefer to pay with cash or a check. Only 128 people said it was because they find the current system difficult to use.

As part of the survey, we asked people to rate their overall experience in using the MOSES ISA system. 87% rated their experience as satisfactory or very satisfactory. 6% rated their experience as unsatisfactory or very unsatisfactory while 7% were neutral in their response. The survey results showed that the most important feature that customers wanted to see was the ability for the system to remember their information each time they came online to purchase a license. 88% of those responding said this was either important or very important to them. The system currently has features to do this but they do not work consistently for a number of reasons.

The survey results showed that customers were also very interested in changes that would make the online purchase process faster. 71% of those responding said this was either important or very important to them. The survey results also showed that customers were quite interested in the ability to buy licenses for multiple people on one credit card transaction. 46% of those responding said this was either important or very important to them.

On the last part of the survey, we asked customers for other suggestions for improvements that they would like to see. 17% provided additional comments. We read through these comments and did not find any significant additional ideas for improvements. Many people told us that they really liked the existing system and said we shouldn't change anything. Many people simply reiterated items that we had already asked them about. Quite a few folks took the opportunity to suggest changes on other topics such as the moose lottery, the Any-deer lottery, law books, etc.

MOSES Internet Sales Application Upgrade Plan

Project Plan

In addition to the online survey results, the Department also consulted with Informe and the state's OIT group for ideas on improvements to the MOSES ISA system. The MOSES ISA system consists of a user interface front end that was developed and is supported by Informe as well as a back end interface to the MOSES database that was developed and is supported by OIT. The following are the major changes proposed to the MOSES ISA system as a result of the customer survey and consulting with both Informe and OIT:

- 1). Upgrade the system so that it will consistently remember customer information when the customer supplies their MOSES ID, First Name, Last Name, and DOB.
- 2). Upgrade the system so that it will be quicker for the average customer to obtain their hunting or fishing license.
- 3). Upgrade the system so that a customer can purchase licenses for multiple people with one credit card transaction.
- 4). Upgrade the system so that it will handle the sale of two different license years during the month of December.
- 5). Upgrade the system to make it mobile friendly. People using mobile devices can currently use them to purchase licenses on the system but the system is not currently designed to make it easy for them to do so.
- 6). Upgrade the system so that it will allow someone who is buying a license for someone as a gift to send a custom email to that person on a specified date.
- 7). The system will have a "What License Do I Need?" feature that customers can use if they choose to. The customer will be asked a few different questions about themselves and what they want to do and will let them know what licenses and permits they need to legally do so.

MOSES Internet Sales Application Upgrade Plan

Project Budget

Informe will develop their portion of the proposed upgrade at no cost to the Department. By contract, Informe acts as the Department's agent for online license sales and therefore retains the agent fee for each license sold. These agent fees offset the credit card merchant fees incurred as well as the development and support costs Informe incurs for the user interface front end of the MOSES ISA system. Since the last time the MOSES ISA user interface front end was upgraded was in 2008, Informe feels that it is reasonable for them to incur the development costs associated with this proposed upgrade. On the OIT side of things, the Department has already retained on a contract basis the part time programming services of person with MOSES experience who had retired. Since the person had previously worked as a programmer on the MOSES system, the learning curve is very short and they can hit the ground running.

Project Timing

Unless significant changes are made to the project plan, we will have this upgrade in place by October 1st, 2014.

Online Guide and Trapping License Renewal Project

Background Info

Currently all guide and trapping license renewals are processed at our main headquarters in Augusta. Customers can print out a blank application from our web site or we will mail them one if requested. The customer fills out the application and mails it in to us. We process the application and mail the customer back their renewed license. A customer may also come to our main office, fill out an application, and get their renewed license the same day. A trapping license is renewed annually and a guide license is renewed once every 3 years. We process roughly 2500 trapping license renewals and 1700 guide license renewals each year. For the purposes of this analysis, we are assuming that roughly 2000 people would choose to renew their license online if this service were available.

Concerns

By law, all applicants for guide or trapping license renewals are required to answer a series of questions before renewing their license. Questions such as "Have you ever been convicted of the theft of hunting, fishing, or trapping equipment?" or "Have you ever been charged with or convicted of a Fish and Wildlife violation in Maine within the past 5 years?" are asked of each applicant. Applicants are required to answer each question and sign the application certifying that all information on the application is correct. Certainly these same questions can be asked online. However, there is some concern that applicants are more likely to be untruthful when filling out online applications than they are in person. Additionally, a person must supply a copy of their current CPR and First Aid certification when renewing their whitewater guide license. There would be no way to do this with an online process. We could certainly ask for information about their current certification online but there would be no way for us to verify the information.

Project Plan

The online guide and trapping license renewal application would be quite similar to the online hunting and fishing license application (MOSES ISA). Informe would provide a front end user interface that would communicate with a backend interface provided by OIT. The Informe front end interface would handle all credit card payments through the same payment engine used by a variety of Maine state government services (including MOSES ISA). The OIT backend would interface directly to the MOSES database which contains all customer information for all licenses and registrations purchased by our customers.

Online Guide and Trapping License Renewal Project

Project Budget

We have received a quote from Informe for their portion of this project. Informe has provided us with two options for paying for this work. The first option is for a one-time payment of \$30,390 plus \$6078 per year to cover hosting, support, and maintenance fees. The second option is a transaction based cost of \$4.50 per transaction. Based on our estimate of 2000 transactions per year, IF&W would need to pay Informe \$9000 per year in transaction costs.

The OIT programming portion of this project would be handled by retaining an additional programming resource on a contract basis. It is estimated that these one-time programming costs would be \$35,000.

Project Timing

Once we are authorized to proceed with this project and the appropriate funds are identified, we would work with Informe and OIT to put a project schedule together.

PLc. 322 Report Back
On Simplifying and Streamlining license revocations

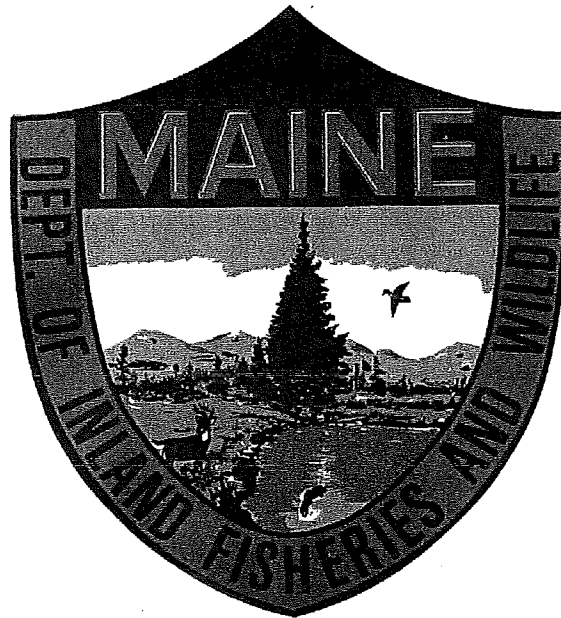
February 4, 2014

Colonel Joel Wilkinson, Colonel of the Maine Warden Service

The law directed IFW to simplify and streamline the laws governing license revocations.

- The Legislature recently passed a law allowing Inland Fisheries & Wildlife to enter into the Wildlife Violator's Compact. This Compact gives any State within the Compact the authority to address license revocations for fish and wildlife violators in a similar way and revokes any violator not only in their home state but also in any other state that is part of this Compact.
- Maine Warden Service has appointed a Compact Administrator, is in the beginning stages of the rulemaking process to adopt the Compact language and anticipates the program to be implemented and fully operational by July of 2014. The Wildlife Violator's Compact allows Maine Warden Service to utilize a centralized database that all other participating states have access to. This will create a systematic process for the license revocation procedure. The fact that Maine will be a participating state within the Compact will be advertised on our website and in other Department publications.
- The Department would ask the Committee to allow time for this process to be implemented and if there is any additional legislative action needed to complete this new license revocation procedure, those needs can be addressed in the 127th Legislative Session.
- The Department recommends that the appeals process remain unchanged. There are a few proposals that we will be explaining next week as part of our omnibus amendments which will help to implement the administrative process for the WVC.

**Maine Department of
Inland Fisheries & Wildlife**



Report back to Legislature

Public Law Chapter 322

126th Legislature – Second Session

An Act To Simplify and Encourage the Sale of Hunting and Fishing Licenses and Permits (LD 229)

Presented By: Bill Swan - Director of the Licensing Division

Date: March 6, 2014

- Lifetime License Study

Lifetime License Study

Background Info

The Department of Inland Fisheries & Wildlife was directed by the legislature to commission an actuarial review of expanding the availability of lifetime hunting and fishing licenses to residents and nonresidents of all ages. Currently, lifetime hunting and fishing licenses are available to residents and nonresidents under 16 years of age as well as to residents 65 years of age and older. Currently, the funds from the sale of lifetime licenses are put into the Department's Lifetime License Fund. The Lifetime License Fund is managed by the State Treasurer. By law, the Department is allocated 5% of the amount in the Lifetime License Fund each year to be spent on general operating expenses. The purpose of this study is to establish the amount that should be charged for lifetime hunting and fishing licenses for both residents and nonresidents of all ages such that the Department's annual 5% allocation of funds from the Lifetime License Fund would be in close approximation to the amount of revenue that would be generated from the sale of annual hunting and fishing licenses if lifetime licenses were not available.

Vendor Info

The vendor chosen by the Department to help us with this study was Southwick Associates. Southwick Associates has been in business since 1990, focusing on the socio-economic issues associated with fishing, hunting and natural resources conservation. They have conducted over 40 license pricing assessments, and are presently working with two states to redesign their current license offerings (Oregon and New Jersey). A partial list of relevant licensing studies is presented here:

- Sales and Revenue Forecasts for Fishing and Hunting Licenses and Permits in Wyoming. Wyoming Game and Fish Department. August, 2012.
- Sales and Revenue Forecast for Fishing and Hunting Licenses in Iowa. Iowa Department of Natural Resources. July, 2010.
- Sales and Revenue Forecast for Fishing and Hunting Licenses in Kansas. Kansas Parks and Wildlife. March, 2010.
- Non-Resident Fishing License Revenue Forecasts and Optimal Prices. Florida Fish and Wildlife Conservation Commission, 2003, 2007 & 2008.
- Angler Trends: Finding New and Lapsed Anglers, Plus License Renewal Rates. American Sportfishing Association and the Association of Fish and Wildlife Agencies. March, 2007.
- Profiles of Tennessee Hunting License Sales and Buyers. Tennessee Wildlife Resources Agency. July 2006.
- Fishing License Data Mining Project: Trends and Market Opportunities for [State] Fishing License Sales. International Association of Fish and Wildlife Agencies and the American Sportfishing Association. A series of fishing license data analyses conducted individually for over 30 states. March 2006.

Study Methodology

Research shows that most anglers and hunters do not purchase a license every year. Rates of hunting and fishing participation – and therefore license buying - vary by age, too. Therefore, to accurately estimate how much revenue a sportsman represents over his or her lifetime depends on knowing how many years that person is likely to actually purchase a license. To gain this insight, we applied the following process:

- 1) Analyzed five full years (2008 through 2012) of Maine’s fishing and hunting license sales data to track the license buying patterns of individual sportsmen and women.
- 2) Determined the license buying rates within five-year age ranges (16-19 years of age, 20-24 years of age, 25-29 years of age, 30-34 years of age, etc.)
- 3) Calculated the expected license purchases over the remaining sporting lifetime of anglers and hunters for each single-year of age.
- 4) Estimated the current value of the expected total license expenditures for a typical sportsman over their remaining sporting lifetime for each single-year of age. This represents the price of a lifetime license that would prevent a reduction in the state’s long term revenues, if invested at prevailing interest rates.

Lifetime License Values

When considering the implementation of lifetime hunting and fishing licenses for resident and non-resident customers of all ages, the impact on annual license revenues must be carefully considered. Currently, the funds from the sale of lifetime licenses are put into the Department’s Lifetime License Fund. The Department is allocated 5% of the amount in the Lifetime License Fund each year to be spent on general operating expenses. The amount that should be charged for lifetime hunting and fishing licenses for both residents and nonresidents of all ages should be such that the Department’s annual 5% allocation of funds from the Lifetime License Fund is in close approximation to the amount of revenue that would be generated from the sale of annual hunting and fishing licenses if lifetime licenses were not available. There are several risk factors to consider when deciding what prices to set for lifetime licenses.

The current value of a lifetime license is higher for a young person than an older person because they have more years to potentially buy annual licenses. A lifetime license fee set to breakeven for the average age of all your customers will lead to revenue losses if more young people buy the licenses than older folks. The attached chart details different lifetime license costs for a variety of age classes (16-19,

20-24, 25-29, etc). In addition, within each age class, the figures are break even for the youngest age in each of the classes. For example, fees for the 45-49 age class are set at the 45 year old breakeven point.

The current value of a lifetime license is higher for a person that is likely to buy an annual license each year than for a person who is only likely to buy an annual license occasionally. We can predict a person's probable future buying pattern by looking at their prior buying pattern. When we looked at our entire population of license buying customers, we found that our average customer buys a license approximately 3 out of every 5 years. However, if the costs for lifetime licenses are set at a level where we breakeven for the average customer, then we would lose money if the only people who buy lifetime licenses are those folks who always buy a license every year and therefore most likely will continue to buy one every year in the future. Based on the last 5 years of license buying data, we have over 70,000 resident customers and over 6,000 non-resident customers who purchased a license in each of the last 5 years and are therefore quite likely to continue this buying practice in the future. If the costs for lifetime licenses are set at the breakeven point for a customer who buys a license every year, there would be very minimal risk and these customers would still be receiving the following benefits:

- 1). Savings from paying the \$2 agent fee for each license purchased each year.
- 2). The convenience of never having to purchase a fishing and/or hunting license again.
- 3). Immunity from future significant annual license fee increases.

Resident Lifetime License Fees

Age Category	Fish	Hunt	Archery	Combo of any two	All Three
16 to 19	\$1350	\$1350	\$1350	\$2268	\$3618
20 to 24	\$1250	\$1250	\$1250	\$2100	\$3350
25 to 29	\$1125	\$1125	\$1125	\$1890	\$3015
30 to 34	\$1000	\$1000	\$1000	\$1680	\$2680
35 to 39	\$ 875	\$ 875	\$ 875	\$1470	\$2345
40 to 44	\$ 750	\$ 750	\$ 750	\$1260	\$2010
45 to 49	\$ 625	\$ 625	\$ 625	\$1050	\$1675
50 to 54	\$ 500	\$ 500	\$ 500	\$ 840	\$1340
55 to 59	\$ 375	\$ 375	\$ 375	\$ 630	\$1005
60 to 64	\$ 250	\$ 250	\$ 250	\$ 420	\$ 670

Non-Resident Lifetime License Fees

Age Category	Fish	Hunt	Archery	Combo of any two	All Three
16 to 19	\$4096	\$7296	\$4736	\$9569	\$14273
20 to 24	\$3840	\$6840	\$4440	\$8971	\$13381
25 to 29	\$3520	\$6270	\$4070	\$8224	\$12266
30 to 34	\$3200	\$5700	\$3700	\$7476	\$11151
35 to 39	\$2880	\$5130	\$3330	\$6728	\$10036
40 to 44	\$2560	\$4560	\$2960	\$5981	\$ 8921
45 to 49	\$2240	\$3990	\$2590	\$5233	\$ 7806
50 to 54	\$1920	\$3420	\$2220	\$4486	\$ 6691
55 to 59	\$1600	\$2850	\$1850	\$3738	\$ 5576
60 to 64	\$1280	\$2280	\$1480	\$2990	\$ 4460
65 to 69	\$ 960	\$1710	\$1110	\$2243	\$ 3345
70 to 74	\$ 640	\$1140	\$ 740	\$1495	\$ 2230
75 to 79	\$ 320	\$ 570	\$ 370	\$ 748	\$ 1115

STATE OF MAINE

 IN THE YEAR OF OUR LORD

TWO THOUSAND AND THIRTEEN

 H.P. 190 - L.D. 229

An Act To Simplify and Encourage the Sale of Hunting and Fishing Licenses and Permits

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is important to update the Department of Inland Fisheries and Wildlife's online system for persons to purchase licenses and registrations as soon as possible to increase its efficiency and usability; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §11152, sub-§5, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §122 and affected by §422, is further amended to read:

5. Hunter permit transfers. ~~A junior hunter or a person 65 years of age or older resident may take an antlerless deer if a person~~ another resident who holds a valid antlerless deer permit transfers the permit to ~~the junior hunter or person 65 years of age or older~~ that resident by identifying the name, age and address of the transferee on the permit as well as any other information reasonably requested by the commissioner and then returns the permit to the department prior to the start of the firearm season on deer. ~~A nonresident may take an antlerless deer if another nonresident who holds a valid antlerless deer permit transfers the permit to that nonresident by identifying the name and address of the transferee on the permit as well as any other information reasonably requested by the commissioner and then returns the permit to the department prior to the start of the firearm season on deer.~~ The commissioner shall record ~~the a transfer under this subsection~~ and return the permit to ~~the junior hunter or person 65 years of age or older transferee.~~ A valid permit must be in the possession of the transferee in order for the transferee to take an antlerless deer.

Sec. 2. 12 MRSA §11152, sub-§6, as enacted by PL 2003, c. 655, Pt. B, §123 and affected by §422, is repealed.

Sec. 3. Updating of the Maine Online Sportsman's Electronic System. The Department of Inland Fisheries and Wildlife shall survey users of its online system for purchasing licenses and registrations, known as the Maine Online Sportsman's Electronic System, and, based on the information obtained from those users, develop a plan for updating that system. The plan must focus on updating the system's user interface and provide options for online renewal of trapping licenses and guide licenses. The department shall submit its plan, together with a proposed budget for implementing the plan, to the Joint Standing Committee on Inland Fisheries and Wildlife by December 1, 2013. The committee may report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature.

Sec. 4. Improving the laws governing inland fisheries and wildlife. The Department of Inland Fisheries and Wildlife shall develop a plan to simplify and streamline:

1. Complimentary licenses. The eligibility requirements for and issuance of complimentary licenses;

2. Revocation of licenses. The laws governing license revocations; and

3. Hunting licenses. The laws governing hunting, including age restrictions, equipment restrictions and supervision requirements. The plan must extend the supervisory requirements for apprentice hunters to junior hunters and make supervisory requirements for hunting consistent with those that apply to trapping.

The department shall submit a report including the plan it develops under this section to the Joint Standing Committee on Inland Fisheries and Wildlife by December 1, 2013, together with draft legislation necessary to implement the plan. The committee may report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature.

Sec. 5. Lifetime licenses; study established. The Department of Inland Fisheries and Wildlife shall commission an actuarial review of expanding the availability of lifetime hunting and fishing licenses. The department shall submit a report with the findings, along with an explanation of the study methodology and any proposed modifications to the lifetime license system, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2014. The committee may report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF
Licensing Services - Inland Fisheries and Wildlife 0531**

Initiative: Provides one-time funding for an actuarial study to review expanding the availability of lifetime hunting and fishing licenses.

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
All Other	\$10,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,000</u>	<u>\$0</u>

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Maine Department of Inland Fisheries & Wildlife



Report back to Legislature

Public Law Chapter 322

126th Legislature – Second Session

An Act To Simplify and Encourage the Sale of Hunting and Fishing Licenses and Permits (LD 229)

Presented By: Joel Wilkinson – Colonel of the Maine Warden Service, IFW

Date: February 4, 2014

- Simplify & streamline the laws governing revocation of licenses
- Simplify & streamline the laws governing hunting, including age restrictions, equipment restrictions and supervision requirements
- Review of age restrictions related to recreational vehicle use

Report Back to Legislature
Public Law Chapter 322
Hunting and Trapping Age Requirement
Proposals

February 4, 2014

Colonel Joel Wilkinson, Colonel of the Maine Warden Service

Introduction: Part of P.L.c. 322 directed IFW to simplify and streamline the laws governing hunting, including age restrictions, equipment restrictions and supervision requirements. The plan needed to extend the supervisory requirements for apprentice hunters to junior hunters and make supervisory requirements for hunting consistent with those that apply to trapping. It directed the Department to submit a report including the plan developed and draft legislation necessary to implement the plan.

In response to this directive a meeting was held with interested parties to develop ideas to present to the Committee on the topics listed in this law. A discussion was held to consider options for a definition of supervision that would be consistent for hunting and trapping laws. Below I have provided the list of attendees and a summary of proposals for your consideration.

Meeting Attendees:

Major Chris Cloutier, IFW
Director of Licensing, Bill Swan, IFW
Christl Theriault, IFW
Brian Cogill, Maine Trappers Association
Steve Wilcox, Maine Trappers Association
Don Kleiner, Maine Professional Guides Association
Mike Sawyer, Recreational Safety Coordinator, IFW

Proposals:

1) Add language to the definition of "in the presence of" under the junior hunting statute Title 12. 11108-6. For the purposes of this section, "in the presence of" means in visual and voice contact without the use of visual or audio enhancement devices, including binoculars and citizen band radios and under the effective control of a child's parent or guardian or another person 18 years of age approved by that hunter's parent or guardian who either holds a valid Maine hunting license or has successfully completed a hunter safety course acceptable under sections 10108 and 11105. We would also like to add the definition of supervision that related to the junior hunting section to the junior trapping section.

2) Within the apprenticeship hunter license restriction reduce the requirement for a supervisor to hold a valid hunting license for 5 consecutive years down to 3 consecutive years just as is required within the trapping apprenticeship program. This would add consistency with supervision requirements.

***The two following proposals are not directly related to the report back subject matter for PLC 322 but were brought forth as discussion points and may provide consistency in statute as well as increased opportunity and license sales.**

3) Extend the number of years that a hunter and trapper can purchase an apprenticeship license from 1 to 2 consecutive years.

4) Change statute within hunting and trapping apprenticeship programs NOT to exclude those who have held a junior hunting or trapping license. This would increase hunting and trapping license sales and opportunity.

Recreational Vehicle Age Requirements Proposals

-February 4, 2014

-Joel Wilkinson, Colonel of the Maine Warden Service

Introduction: Following the discussion regarding hunting and trapping supervision and age restrictions a separate meeting with stakeholders, who represented recreational vehicle interests, was held. Because there are also discrepancies with age related laws and the operation of recreational vehicles, the department felt this would be an opportune time to discuss these inconsistencies. This meeting developed some ideas that I will present today. A discussion was held to consider options for a definition of supervision that would be consistent for all recreational vehicle laws. Below I have provided the list of attendees, some commonly asked questions related to age requirements to operate RV's and one graph to show you the current laws and another graph which demonstrates how the laws would change if the proposals were passed into law. I have provided a summary of proposals below for your consideration.

Meeting Attendees:

Major Chris Cloutier

Lt. Adam Gormely

Christl Theriault IFW

Bob Myers MSA

Lt. Rene Cloutier DMR

Mike Sawyer IFW Recreational Safety Coordinator

Commonly Asked Questions:

1) How old do you have to be to cross a highway with a snowmobile or an ATV?

Answer: 14 y/o on snowmobile with no safety course 16 y/o on ATV with a safety course

2) How old does a person have to be to supervisor a youth operating a boat or PWC?

Answer: 16 y/o to supervise if the boat if it is more than 10 hp 18 y/o to supervise a youth on a PWC

3) How old does a person need to be to supervise a youth operating an ATV or a snowmobile?

Answer: 21 y/o to supervise a youth operating an ATV 18 y/o to supervise a youth operating a snowmobile

Proposals:

1) Add language to the definition of "accompanied by adult" that includes: without the use of visual and audio enhancement devices, including binoculars and citizen band radios. It also includes snowmobiles and watercraft and reduces the age of the supervisor from 21 to 18. 18 will be the consistent age required to supervise a person operating a recreational vehicle that doesn't meet the requirements to operate alone.

2) Make the minimum age requirement to operate an ATV, snowmobile, and watercraft over 10 horsepower (the horsepower applies to watercraft only), 10 years of age. Exception is if the operator is

on their own property. From 10- 14 years of age the operator must be accompanied by an adult and the successful completion of a RV safety course will be strongly encouraged but not required.

3) Make the minimum age to operate; unaccompanied, for recreational purposes only, 14 for any ATV, snowmobile, and any watercraft but only after the operator has successfully completed a recreational safety course. For ATV and snowmobile operators who are 14 y/o or older and have taken the safety course they may cross a public way unaccompanied. This proposal would provide consistency for the age requirements. Persons ages 14 through 17 may operate unaccompanied if they have completed the safety course. An exemption to the minimum age requirements will be proposed for all RV's being operated for agricultural or commercial purposes.

4) Recreational safety course related information.

Watercraft: Currently IFW offers a 6 hour watercraft safety course that is classroom only. If this proposal passed the department would work to implement a boating course that is offered partially online. Another option for a recreational boating safety course that IFW recommends at this time and is offered as an online certification is given by US Power Squadron.

ATV/Snowmobile: If this proposal passes into law the safety division will offer increased opportunity for the combined ATV/snowmobile safety courses and offer part of the 6 hour course as an online training component to reduce the burden of the course. Perhaps the law could establish a delayed implementation date for a mandatory safety course requirement to give the department sufficient time to provide opportunity for the courses.

****Please see the attached chart which shows current age requirements vs. the proposed age requirements.**

Current Recreational Vehicle Age Restrictions

	ATV	Snowmobile	Watercraft	Personal Water Craft (PWC)
Operate on Land Owned By A Parent	No Age Limit	No Age Limit	N/A	N/A
Minimum Age To Operate	10-15, off own land, must be accompanied & safety course	10 and older, off own land, <i>unaccompanied - no safety course needed</i>	N/A	16-17 w/safety course, must be accompanied by person 18 or older
Minimum Age To Cross A Public Way	16 w/safety course	14 and older, <i>no safety course needed</i>	N/A	N/A
Age To Operate Unaccompanied	16 w/safety course	10 and older, <i>no safety course needed</i>	18 and older	18 and older
Minimum Age To Operate Boat under 10 hp	N/A	N/A	No Age Limit	N/A
Minimum Age To Operate Boat Over 10 hp	N/A	N/A	12 with supervision of person 16 and older	N/A

Proposal for Reducing Recreational Vehicle Age Restrictions, With Mandatory Safety Course

	ATV	Snowmobile	Watercraft	Personal Water Craft (PWC)
Age To Operate	18	18	18	18
Minimum Age To Operate Unaccompanied, Including Crossing A Public Way, Must Have A Safety Course	14	14	14 under 10hp no age restriction	14
Minimum Age To Operate Accompanied, No Safety Course Required	10-14	10-14	10-14*	14-17*
Minimum Age To Operate On Own Land	No Age Limit	No Age Limit	N/A	N/A

*Accompanied means on board.