

## Sponsor Amendment for LD 276, An Act Regarding Inland Fisheries and Wildlife (Concept Draft)

### *Purpose of the Bill*

*This bill modernizes Maine’s ATV laws by phasing out static weight-based standards and replacing them with clear, statutory, width-based vehicle classifications, while:*

- *preserving landowner rights and liability protections,*
- *clarifying registration procedures for municipal clerks at point of sale/registration, and*
- *keeping trail access decisions local and trail-manager driven.*

*The bill is intentionally statute-forward and minimizes reliance on agency rulemaking.*

<b>New title: An Act to Modernize ATV Classification, Registration, Trail Access and Landowner Protections</b>
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### **Sec. 1. 12 MRSA §13001, sub-§1 is enacted to read:**

**1-A. ATV classification:** “All-terrain vehicle classification” means the statutory designation of an all-terrain vehicle based on original manufacturer specifications, including width and configuration, for purposes of registration, trail eligibility, and enforcement.

**1-B. Manufacturer specifications:** “Manufacturer specifications” means the original factory specifications for an all-terrain vehicle identified by vehicle identification number, including width and configuration, as published by the manufacturer.

**1-C. Utility all-terrain vehicle:** “Utility all-terrain vehicle” means an all-terrain vehicle originally manufactured with side-by-side seating, a steering wheel, or a cargo bed, and intended primarily for work or hauling purposes.

### **Sec. 2. 12 MRSA §13104, sub-§5-A is enacted to read:**

#### **5-A. Statutory ATV classifications.**

For purposes of registration and trail eligibility under this chapter, all-terrain vehicles are classified as follows based on manufacturer-rated width:

1. **Class I ATV:** A vehicle with a manufacturer-rated width of 50 inches or less.
2. **Class II ATV:** A vehicle with a manufacturer-rated width greater than 50 inches and not more than 65 inches.
3. **Class III ATV:** A utility all-terrain vehicle with a manufacturer-rated width greater than 65 inches.

Manufacturer-rated width must be determined based on original factory specifications.

### **Sec. 3. 12 MRSA §13104, sub-§5-B is enacted to read:**

#### **5-B. Trail eligibility by classification.**

1. Trails designated or maintained under this chapter may specify which ATV classifications are permitted.
2. Nothing in this subsection requires a trail manager, ATV club, or landowner to allow any classification on a trail.
3. Unless otherwise posted, a trail is presumed open to Class I and Class II ATVs only.

**Sec. 4. 12 MRSA §13108-A, sub-§1-A is enacted to read:**

**1-A. Registration procedure.**

Upon application for registration or renewal of an all-terrain vehicle, the municipal clerk, department agent, or other authorized registration agent shall:

1. Verify the vehicle identification number;
2. Determine the vehicle's statutory classification under section 13104, subsection 5-A using manufacturer specifications; and
3. Provide the registrant with written or electronic notice identifying the vehicle's classification.

Failure to receive notice under this subsection does not invalidate registration.

**Sec. 5. 12 MRSA §13108-A, sub-§1-B is enacted to read:**

**1-B. Presumption of compliance.**

A registered all-terrain vehicle operated in its original factory configuration is presumed compliant with its statutory classification for enforcement purposes.

A law enforcement officer may rebut this presumption only upon reasonable suspicion that the vehicle has been materially modified.

**Sec. 6. 12 MRSA §13157-D is enacted to read:**

**§13157-D. Landowner protection.**

1. A landowner who permits all-terrain vehicle access on private land in good faith is not responsible for determining a vehicle's classification or trail eligibility.
2. A landowner may not be held civilly liable solely for allowing access to a vehicle later determined to be operated in violation of this chapter.
3. Nothing in this section expands or limits landowner liability protections under Title 14, section 159-A.

**Sec. 7. Phase-out of weight-based standards.**

1. Beginning January 1, 2027, an all-terrain vehicle's eligibility for registration, trail access, or enforcement may not be determined based on manufacturer-rated weight.
2. An all-terrain vehicle lawfully registered prior to January 1, 2027, based in whole or in part on a weight-based standard is deemed compliant if it meets a statutory classification under section 13104, subsection 5-A.
3. Weight-based references in this chapter apply only to violations occurring prior to January 1, 2027.

**Sec. 8. Conforming change.** 12 MRSA §13155, sub-§5-B is amended to remove references to manufacturer-rated weight and to retain manufacturer-rated width as the sole size-based registration standard.

**Sec. 9. Effective date and transition.**

1. This Act takes effect January 1, 2027.
2. During calendar year 2026, enforcement of classification-based trail restrictions must be limited to written warnings.

**Summary**

This draft amendment is being proposed in place of concept draft, LD 276 (An Act Regarding Inland Fisheries and Wildlife).

The amendment modernizes Maine's all-terrain vehicle laws by phasing out outdated weight-based standards and replacing them with clear, statutory vehicle classifications based on manufacturer-rated width and configuration. The amendment clarifies registration procedures for municipal clerks, establishes a presumption of compliance for stock registered vehicles, preserves landowner rights and liability protections and ensures that trail access decisions remain local to trail managers and landowners. Existing registrations are protected, and implementation includes a transition period to allow for education and compliance.