



127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1567

H.P. 1063

House of Representatives, January 21, 2016

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

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Transportation suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative SAUCIER of Presque Isle.
Cosponsored by Senator PATRICK of Oxford and
Representatives: EDGECOMB of Fort Fairfield, MARTIN of Eagle Lake, MARTIN of
Sinclair, McCABE of Skowhegan, McELWEE of Caribou, SCHNECK of Bangor, STANLEY
of Medway, WHITE of Washburn.

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

3 **Whereas,** this legislation needs to take effect before expiration of the 90-day period
4 in order to allow for the construction of multi-use trails within the rights-of-way of
5 controlled access highways to be built in the summer of 2016; and

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

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

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

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

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

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

21 At the request of the Commissioner of Agriculture, Conservation and Forestry, the
22 Commissioner of Transportation may permit construction of a snowmobile trail
23 within the right-of-way limits of a controlled access highway when there is an ability
24 to provide for the continuity of a state-owned or state-controlled network of
25 snowmobile trails in an area of new construction on or after January 1, 2016.

26 (3) A person on a properly registered snowmobile may operate the snowmobile
27 within the right-of-way of a controlled access highway on a trail segment
28 approved by the Commissioner of Transportation.

29 **Sec. 2. 12 MRSA §13157-A, sub-§3, ¶A,** as enacted by PL 2003, c. 655, Pt. B,
30 §414 and affected by §422, is amended to read:

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

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

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

